

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION**

UNITED STATES OF AMERICA	§	<u>SE A L E D</u>
	§	
V.	§	CRIM. NO.: 7-21-CR-02138
	§	
OMAR X. ROMERO,	§	
	§	
Defendant	§	

DEFENDANT’S MOTION TO CONTINUE SENTENCING

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE,
McALLEN DIVISION, SOUTHERN DISTRICT OF TEXAS, JUDGE RICARDO
H HINOJOSA:

COMES NOW, Counsel for OMAR X. ROMERO, the Defendant in the
above styled and numbered cause, and files this *DEFENDANT’S MOTION TO
CONTINUE SENTENCING* and for *Good Cause* and in *Support* thereof, would show
this Honorable Court the following:

I.

PROCEEDINGS AND BACKGROUND

On November 10, 2021, pursuant to a *Plea Agreement*, Defendant OMAR X.
ROMERO (“ROMERO”) entered his Plea of Guilty to a two count criminal
Information filed by the Office of the United States Attorney, Southern District of
Texas, McAllen Division, *See* Dkt. Nos. 1, 5 and 6. Defendant was charged with a

Travel Act in violation of Title 18, United States Code, Section 1952(a)(3) to violate Texas Penal Code Section 36.02 [Count One], and a bankruptcy fraud in violation of Title 18, United States Code, Section 152(5) [Count Two].

II.

CONTINUANCE OF SENTENCING

Defendant, herein, petitions this Honorable Court for a Continuance of his Sentencing hearing, and in support thereof would show this Honorable Court the following:

1. This matter is set for Sentencing on Thursday, March 2, 2023 at 11:00 AM;
2. Undersigned Counsel (“Counsel”) is retained in this matter and files this Defendant’s *Motion for Continuance of Sentencing*.
3. Counsel respectfully requests additional time to meet with the Defendant, to review the PSR, to confer with the government and Counsel has a conflict and may be absent from his office beginning March 2, 2023 and continuing through April 15, 2023;
4. Counsel has communicated with the government AUSA, Roberto Lopez, Jr., who states he does not oppose a Continuance of the Sentencing setting;
5. Defendant ROMERO defers to this Court regarding the matter and timing of the Sentencing in this matter, but does urge that the Sentencing be Continued for a period of at least 90 days; and

6. This motion is not sought for purposes of undue delay, but so that *Justice* may be done.

WHEREFORE, PREMISES CONSIDERED, the undersigned Counsel respectfully prays that *Defendant's Motion to Continue Sentencing* be *Granted* and that this matter be herein Continued to a date and time deemed appropriate by this Honorable Court.

Respectfully Submitted,

/s/ Thomas Joseph McHugh

THOMAS JOSEPH MCHUGH

**THE LAW OFFICES OF
THOMAS J. MCHUGH, P.L.L.C.**

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STATE BAR NO. 13675000

Attorney for Defendant OMAR X. ROMERO

CERTIFICATE OF CONFERENCE

I hereby certify that on this the 21st day of February, 2023, I communicated with AUSA Robert L. Lopez, McAllen Division, Southern District of Texas, regarding the *Defendant's Motion to Continue Sentencing* and AUSA Lopez stated that he has no objection to the Sentencing of Omar X. Romero be Continued to a date and time deemed appropriate by the Court.

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of February 2023, I electronically filed the *Defendant's Motion to Continue Sentencing* with the Clerk of Court using the CM/ECF system which will send notification of such filing to Robert Lopez, Jr., Assistant United States Attorney, 1701 W. Highway 83, Suite 600, McAllen, Texas 78501, and a copy will be sent by EMAIL to Defendant OMAR X. ROMERO.

/s/ Thomas Joseph McHugh
THOMAS JOSEPH MCHUGH

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SOUTHERN DISTRICT OF TEXAS
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Defendant	§	

ORDER

On this date this Court came on to be considered the *DEFENDANT'S MOTION TO CONTINUE SENTENCING* and for *Good Cause*, in *Support* thereof, and after considering same, is of the opinion and does so find that the Defendant's motion herein, should be in all respects: **GRANTED.**

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the SENTENCING be reset to the ____ day of _____, 2023.

SIGNED THIS _____ day of February 2023

RICARDO H HINOJOSA
UNITED STATES DISTRICT JUDGE